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CERTIFICATION OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.	
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<u>April Dowden</u> Signature	<u>07 July 2006</u> Date

571-273-8300

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: CONNER, Scott Eugene

Serial No.: 10/540341

Application Date: December 31, 2003

For: HETEROCYCLIC PPAR MODULATORS

Docket No.: X-15463

Group Art Unit:

Examiner:

Conf No.: 1424

RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated 27 February 2006, Applicants respectfully request consideration of the accompanying remarks.

No nucleotide or amino acid sequence is disclosed or claimed by the above-captioned application. Thus, Applicants maintain that no sequence listing submission or computer readable submission is required.

Filed concurrent with this Response is a Request for an Extension of Time to respond to this Office Action. Additionally, please provide any extensions of time that may be necessary and charge any fees that may be due to Deposit Account No. 05-0840.

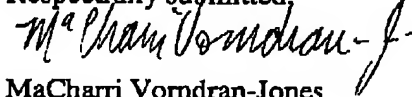
07/10/2006 ZJUHR1 00000017 050840 10540341

01 FC:1253 1020.00 DA

Serial Number: 10/540341

Please direct any questions regarding this application to the attorney below.

Respectfully submitted,



MaCharri Vorndran-Jones
Attorney for Applicants
Registration No. 36,711
Phone: 317-276-1665

Eli Lilly and Company
Patent Division/
P.O. Box 6288
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7 July 2006



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U.S. APPLICATION NUMBER NO. 10/340,341	FIRST NAMED APPLICANT Scott Eugene Conner	ATTY. DOCKET NO. X-15463
INTERNATIONAL APPLICATION NO. PCT/US03/39119		
LA. FILING DATE 12/31/2003	PRIORITY DATE 01/06/2003	

25885
 ELI LILLY & COMPANY
 PATENT DIVISION
 P.O. BOX 6288
 INDIANAPOLIS, IN 46206-6288

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ELI LILLY AND COMPANY
 Patent Division

CONFIRMATION NO. 1424

371 FORMALITIES LETTER

0000000018131138

Date Mailed: 02/27/2006

Due 4-27-2006

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0851
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,341	PCT/US03/39119	X-15463

FORM PCT/DOVED/822 (371 Formalities Notice)

JUL 7 - 2006

Please type a plus sign (+) inside this box →

FEE TRANSMITTAL		Complete if Known	
Effective December 8, 2004		Serial No.	10/540341
		Application Date	December 31, 2003
		US Nat'l Entry Date (if applicable)	
		First Named Inventor	MANTLO Nathan Bryan
		Group Art Unit	
		Examiner Name	
		Conf. No.	
		Attorney Docket Number	X15463
TOTAL AMOUNT OF PAYMENT (\$1020.00)		FEE CALCULATION (continued)	
METHOD OF PAYMENT (check one)		3. ADDITIONAL FEES	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:		Large Entity Fee Code	
Deposit Account Number: 05-0840		Fee Description	
Deposit Account Name: Eli Lilly and Company		Fee Paid	
<input checked="" type="checkbox"/> Charge Any Additional Fee Required		1051 130 Surcharge-late filing fee or oath	
<input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the time of allowance		1052 50 Surcharge-late provisional filing fee or cover sheet	
FEE CALCULATION		1053 130 Non-English specification	
1. In connection with the filing, search and exam fees		1251 120 Extension for reply within first month	
Code Description Fee Fee Paid		1252 450 Extension for reply within second month	
1011 Basic filing fee (utility) \$300.00		1253 1,020 Extension for reply within third month	
1111 Utility search fee \$500.00		1254 1,590 Extension for reply within fourth month	
1311 Utility examination fee \$200.00		1255 2,160 Extension for reply within fifth month	
SUBTOTAL (1) (\$0.00)		1401 500 Notice of Appeal	
		1402 500 Filing a brief in support of an appeal	
		1452 500 Petition to revive-unavoidable	
		1453 1,500 Petition to revive-unintentional	
		1502 1,400 Utility issue fee (or reissue)	
		122 120 Petitions to the Commissioner	
		1601 790 Request for Continued Examination (RCE)	
Code Total Claims Extra Fee Paid (1)		Other fee (specify)	
1202 - 20 = X 50 = \$			
Independent claims		Other fee (specify)	
1201 - 3 = X 200 = \$			
Multiple Yes		Other fee (specify)	
Dependent or 360 = \$			
Claim No (if yes)			
Claims and Excess Length Fees		Other fee (specify)	
1081 Total length (spec + drawings)			
- 100 = excess pages \$			
No extra charge for first 100 pages. Must pay \$250 for each addl 50 pages (or fraction thereof).			
SUBTOTAL (2) (\$0.00)		SUBTOTAL (3) (\$1020.00)	
SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name: MaCharri Vorndran-Jones		Reg. Number 36,711	
Signature		Date	